Appl. No. 09/895,795
Amdt. dated August 20, 2007
Reply to Office Action of May 18, 2007

PATENT

REMARKS/ARGUMENTS

Claims 1, 2, 12, 17, and 21 are amended by entry of this response. Claims 13, 14, and 22 are canceled. Claims 15 and 16 have been withdrawn. Accordingly, upon entry of these amendments and remarks, claims 1-12, 17-21, and 23 will remain pending for examination.

Embodiments of the present invention generally relate to an IC card and settlement system. One aspect of the present invention as substantially recited in independent claims 1 and 2 is "a central processor configured to store for each uniquely identified IC card, settlement processor information for each of a plurality of settlement processors associated with the uniquely identified IC card."

In the latest office action, the Examiner rejected all the pending claims as obvious under 35 U.S.C. §103(a) based upon U.S. Patent No. 6,032,135 to Molano et al. ("the Molano Patent") in view of U.S. Patent Publication No. 2002/0103753 to Schimmel ("the Schimmel Application"). These claim rejections are overcome as follows.

As a threshold matter, the Examiner is reminded that in order to establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (MPEP 2143). Here, neither the Molano Patent nor the Schimmel Application teach or suggest a particularly salient feature of the invention, namely an IC card that is associated with a plurality of settlement processors. Independent claims 1, 2, 9, 12, and 21 have been amended to recite this feature. It is noted that independent claims 7, 17, and 18 as originally filed already recite this feature. The Office action did not identify this feature as recited in claims 7, 17, and 18 in any of the cited references.

Claim 1 substantively recites in part "wherein ... said IC card being associated with two or more of said settlement processors." Claim 12 substantively recites in part "the contents of a IC card ... including information relating to a plurality of settlement accounts associated with the IC card." See also independent claims 2, 7, 9, 17, 18, and 21.

The Molano Patent is directed to an electronic purse value system. Specifically, the Molano Patent discloses a terminal device that stores information and contacts a transaction host:

> The terminal device 12 resolves the phone number <u>based on the data stored in its memory and contacts the appropriate transaction host</u> that can authorize the transaction…. (Emphasis added; Col. 9, lines 28-30)

Molano fails to disclose a central processor configured to store settlement processor information for a plurality of settlement processors that <u>each</u> IC card is associated with.

The Molano Patent, each IC card is associated with a single settlement processor (See Col 3, lines 29-32; Abstract; Claim 5-6). As each IC card of the Molano Patent only connects to a single settlement processor, there is no need for the Molano Patent to select one of a plurality of settlement processor information associated with an IC card as substantially recited in the claimed embodiments. Therefore, the Molano also fails to teach this aspect of the present invention.

The Schimmel Application is directed to a system and method for splitting the costs of goods and services. Specifically, the Schimmel Application discloses a Charge Splitter Application that can run on a centralized web or database:

> In an alternate embodiment, consumers can <u>utilize the Charge Splitter Application though a platform integrated into a centralized</u> (as opposed to the Distributed model discussed above) <u>Charge Splitter web and database</u>. (Emphasis added; **¶[0111]**)

However, the Splitter Application of the Schimmel Application is configured to simply store transactional information such as item price, merchant information, names, and email addresses, which are based on a user's input (See **¶[0122]-¶[0126]**). The Schimmel Application is silent as to an IC card having stored thereon information for a plurality of settlement processors. In fact, the Schimmel Application fails to even mention settlement processing, let alone an IC card having a plurality of settlement processor information.

Based upon the failure of the cited art to teach or even suggest each and every element of the independent claims, it is respectfully asserted that these claims cannot be considered obvious by the art relied upon by the Examiner. Neither Molano nor Schimmel considered separately or together render obvious "wherein ... said IC card being associated with two or more of said settlement processors." as recited in claim 1 and similarly recited in independent claims 2, 7, 9, 17, 18, and 21, or "the contents of a IC card ... including information relating to a plurality of settlement accounts associated with the IC card," as recited in claim 12.

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In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Respectfully submitted,

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